

REQUEST FOR QUALIFICATIONS

FOR

**Siting, Transmission, and Environmental Protection
Peak Workload**



RFQ # 700-11-701

www.energy.ca.gov/contracts

**State of California
California Energy Commission**

February 2012

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3.3	DVBE Std. 843
3.4	Bidder Declaration Form GSPD-05-105
4	Contractor Certification Clauses
5	Customer References
6	Standard Agreement Example
7	Technical Descriptions
8	Sample Work Authorization
	Potential Conflicts Spreadsheets(Attachments 9,10,11)
9	Team Member Topic & Sub-Topic Coverage Information Sheet
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I. INTRODUCTION

Background Summary

The California Energy Commission (Energy Commission) is responsible for permitting thermal power plants, 50 megawatts or larger. Developers interested in constructing and operating a thermal power plant and related energy facilities (such as, electrical transmission lines and natural gas pipelines) in California must file an Application for Certification (AFC) with the Energy Commission. The Energy Commission conducts a comprehensive review of the AFCs that satisfies the requirements of the California Environmental Quality Act (CEQA).

The Energy Commission is responsible for designating corridor routes for future transmission lines. The purpose of designating transmission corridor routes is to better link the transmission planning and permitting processes. A transmission corridor can be proposed for designation by the Energy Commission itself or by any person or entity planning to build an electric transmission line in the state. A corridor to be designated is subject to review under the California Environmental Quality Act, with the Energy Commission as the lead agency responsible for preparing an environmental assessment for all transmission corridors proposed for designation. In addition, a corridor proposed for designation must be consistent with the state's needs and objectives as identified in the latest Strategic Transmission Investment Plan (Strategic Plan) adopted by the Energy Commission.

The Energy Commission is responsible to work with the California Department of Fish and Game, as well as federal agencies like the Department of the Interior, to address barriers to siting and permitting of renewable electric generation and related transmission infrastructure in order to achieve California's 2010 and 2020 Renewable Portfolio Standard. Energy Commission activities to address these barriers include developing a streamlined process for permitting renewable generation facilities, developing habitat conservation plans for renewable resource areas, and other activities to facilitate renewable energy development in California and neighboring regions.

Purpose of this RFQ

The purpose of this Request for Qualifications (RFQ) is to select a Prime Contractor (Contractor) to assist in evaluating energy facilities applications (e.g., certification of new power plants and related transmission lines, compliance monitoring of permitted facilities, and designating transmission corridors) and for other activities in the areas of environmental impact assessment, engineering, and related regulatory matters.

The Energy Commission is seeking one team of technical specialists led by a Contractor. A single Bidding Firm, and not a group of representatives from different companies, must submit a Statement of Qualifications (SOQ) as the prime contractor. The prime contractor will be responsible for all contract administrative duties, analysis, project management, report preparation, quality assurance, graphics support services,

I. Introduction, continued

directing team members in all contract provisions, and participating in technical work assignments. The Contractor and the team can be from the same pre-existing organization, such as a full service consultant Bidding Firm, or they can be from separate organizations (or self-employed) and form a partnership that can successfully work together for purposes of this RFQ. The term "Bidding Firm" is used in this RFQ to refer to the company or entity submitting a SOQ.

RFQ Organization

This RFQ is organized into the following sections:

- Section I – Provides a summary and administrative overview.
- Section II – Provides an explanation of the background for this project.
- Section III – Provides an explanation of the work to be performed.
- Section IV– Provides an explanation of conflict of interest requirements.
- Section V– Provides an explanation of the format, documents, and technical expertise to submit a successful Statement of Qualifications.
- Section VI – Provides administrative detail, including legal requirements of the RFQ.
- Section VII –Provides an explanation of the evaluation process

Available Funding

There is a maximum of up to \$15,000,000.00 available for the contract resulting from this RFQ. This is an hourly rate plus cost reimbursement contract with a ceiling on the total contract amount.

The Energy Commission reserves the right to reduce the contract amount to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Energy Commission contracts. In this event, the Contractor and the Energy Commission Contract Manager shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

ELIGIBLE BIDDERS

This solicitation is restricted to private entities, including non-profit organizations and private universities, and any public entity that can meet the requirements of this solicitation (e.g., Disabled Veteran Business Enterprise participation) and agree to the attached terms and conditions that will be included in the resulting agreement. Even if public entities cannot meet these requirements or agree to the terms, they can still participate as subcontractors.

The reason for this distinction is that the Department of General Services, which has oversight of state contracting, no longer allows the Energy Commission to include different terms and conditions within the same solicitation. The Energy Commission used to do this because some public entities cannot agree to the same terms and conditions that apply to private entities. Every entity that bids under this solicitation

I. Introduction, continued

must meet the solicitations requirements and must agree to the terms and conditions included. The Energy Commission will not award contracts to non-complying entities.

Retainer Contract

Any contract awarded as a result of this RFQ will be a "retainer" contract. The selected contractor will be held on retainer and will be assigned work via work authorizations. Work authorizations will be assigned by expertise, or project workload. The Energy Commission makes no guarantee that any or all of the funds will be assigned in any given year.

Key Activities and Dates

Key activities and tentative dates for this RFQ are presented below:

<u>Activities</u>	<u>Tentative Dates</u>
RFQ release	February 15, 2012
Pre-Bid Conference	February 29, 2012
Written Question Submittal Deadline	February 29, 2012
Distribute Questions / Answers and Addenda (if any)	March 07, 2012
Deadline to submit SOQ by 3:00 p.m.	March 21, 2012
SOQ Discussions with Bidding Firms	April 2, 2012
Notice of Selection	April 4, 2012
Cost Negotiations	April 4– April 13, 2012
Notice of Proposed Award	April 13, 2012
Energy Commission Business Meeting	June, 2012
Contract Start Date	June, 2012
Contract End Date	May 31, 2015

Pre-Bid Conference

There will be one Pre-Bid Conference; participation in this meeting is optional but encouraged. The Pre-Bid Conference will be held at the date, time and location listed below. Please call (916) 654-4381 or refer to the Energy Commission's website at www.energy.ca.gov/contracts to confirm the date and time. Prospective Bidding Firms are encouraged to attend the meeting to be held on:

February 29, 2012 at 2:00 pm
Hearing Room B
California Energy Commission
1516 Ninth Street, Sacramento, CA 95814

At the option of the Energy Commission, questions posed during the Pre-Bid Conference may be answered either orally or in writing.

Participation through WebEx, the Energy Commission's on-line meeting service.

I. Introduction, continued

To participate in the meeting using the WebEx onscreen and audio functions, please go to the following URL in your web browser on the date and time of the meeting:

COMPUTER LOGON WITH A DIRECT PHONE NUMBER

1. Please go to <https://energy.webex.com> and enter the unique meeting number: 927 214 412
2. When prompted, enter your information and the following meeting password: meeting@2
3. After you login, a prompt will appear on-screen for you to provide your phone number. In the Number box, type your area code and phone number and click OK to receive a call back on your phone for the audio of the meeting. International callers can use the "Country/Region" button to help make their connection.

COMPUTER LOGON FOR CALLERS WITH AN EXTENSION PHONE NUMBER, ETC.

1. Please go to <https://energy.webex.com> and enter the unique meeting number: 927 214 412. When prompted, enter your information and the following meeting password: meeting@2
3. After you login, a prompt will ask for your phone number. CLICK CANCEL.
4. Instead call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login. International callers can dial in using the "Show all global call-in numbers" link (also in the top left area).

TELEPHONE ONLY (NO COMPUTER ACCESS)

1. Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number above. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>

TECHNICAL SUPPORT

For help with problems or questions trying to join or attend the meeting, please call WebEx Technical Support at 1-866-229-3239.

System Requirements: To see if your computer is compatible, visit <http://support.webex.com/support/system-requirements.html>

Meeting Preparation: The playback of UCF (Universal Communications Format) rich media files requires appropriate players. To view this type of rich media files in the meeting, please check whether you have the players installed on your computer by going to <https://energy.webex.com/energy/systemdiagnosis.php>

CALENDAR

To add this meeting to your Microsoft Outlook or compatible calendar program, click the following link or copy the link and paste it into your Web browser:

I. Introduction, continued

<https://energy.webex.com/energy/j.php?ED=176792347&UID=1346141167&ICS=MI&LD=1&RD=2&ST=1&SHA2=CLqfRhh3GbFkWBv3FAY3serr7nOAHj2yii7/klzW3bs=&RT=MiM0>

Please be aware that the workshop's WebEx audio and onscreen activity will be recorded.

Questions

During the RFQ process, questions of clarification about this RFQ must be directed to the Contracts Officer listed in the following section. You may ask questions at the Pre-Bid Conference, and you may submit written questions via mail, electronic mail, and by FAX. However, all questions must be received by 5:00 pm on the day of the Pre-Bid Conference.

Approximately two weeks after the Pre-Bid Conference, question and answer sets will be mailed to all parties who requested a copy of this RFQ from the Commission Contracts Office and to all who attended the Pre-Bid conference and provided their contact information on the sign-in sheet. The questions and answers will also be posted on the Commission's website at: <http://www.energy.ca.gov/contracts/index.html>.

Any verbal communication with a Commission employee concerning this RFQ is not binding on the State and shall in no way alter a specification, term, or condition of the RFQ. Therefore, all communication should be directed in writing to the Energy Commission's Contract Officer assigned to the RFQ.

Whom to Contact

This RFQ is available through the Energy Commission's Web Site at www.energy.ca.gov/contracts. Questions or clarifications about this RFQ should be directed to:

Andrew Ferrin, Contract Officer
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, CA 95814
Telephone: (916) 654-4921
FAX: (916) 654-4423

How to Respond to This RFQ

Responses to this solicitation will be in the form of a Statement of Qualifications (SOQ) according to the format described in this RFQ. The SOQ shall document the Bidding Firm's qualifications to perform the tasks described in the Scope of Work found in this RFQ.

I. Introduction, continued

Reference Documents

Bidding Firms responding to this RFQ may want to familiarize themselves with the following publications available on-line and in the Energy Commission Library:

Rules of Practice and Procedure Power Plant Site Certification Regulations, California Energy Commission, Publication No. 800-00-006, August 2000 (available online at www.energy.ca.gov/reports/2000-08_800-00-007_TITLE20.PDF)

Energy Facility Licensing Process - Developers Guide of Practices & Procedures, California Energy Commission, Publication No. 700-00-007, November 2000 (available online at www.energy.ca.gov/siting/documents/2000-12-07_700-00-007.PDF) (Developer's Guide)

Electric Transmission Corridor Designation Process Regulations, Publication number CEC-140-2008-002 (available online at [www.energy.ca.gov/2008publications/CEC-140-2008-002.PDF](http://www.energy.ca.gov/2008publications/CEC-140-2008-002/CEC-140-2008-002.PDF))

Best Management Practices and Guidance Manual: Desert Renewable Energy Projects, Renewable Energy Action Team, REAT-1000-2010-009-F (available online at www.energy.ca.gov/2010publications/REAT-1000-2010-009/REAT-1000-2010-009-F.PDF)

The above reference documents are available in the Energy Commission Library for review Monday–Friday from 8:30 a.m. to 12 p.m. and 1:00 to 4:30 p.m. at:

II. Background

The Energy Commission administers comprehensive programs for permitting energy facilities, compliance monitoring of approved energy facilities, transmission system planning and transmission corridor designation on behalf of the State of California. Energy facilities sited (licensed) by the Energy Commission include thermal power plants 50 megawatts and larger, connecting transmission lines, and related facilities. A transmission corridor zone designated by the Energy Commission, typically 1500 feet in width, consists of the geographic area necessary to accommodate the future construction and operation of one or more high-voltage electric transmission lines.

The Energy Commission Decision (Decision) to approve an Application for Certification (AFC) for a power plant functions as a license or permit to construct and operate the project. The Energy Commission's process includes a comprehensive review that satisfies the requirements of the California Environmental Quality Act (CEQA), encompasses the engineering aspects of the proposed energy facility and evaluates the project's impacts on the reliability of the state's transmission system. The process is designed to consolidate the variety of local and state permitting processes normally required by development projects, and integrate federal permitting requirements as much as possible into one overall proceeding. Following the certification of a project by the Energy Commission, the staff monitors the construction, operation and closure of the project to assure its conformance with the conditions of certification. Staff also reviews proposed project amendments through its compliance program.

The Energy Commission may also exempt thermal power plants from the certification process through its Small Power Plant Exemption (SPPE) process if the project is less than 100 megawatts and has no unmitigated adverse impacts on the environment and no unmitigated adverse impacts on energy resources. Unlike the AFC process, the SPPE is an exemption from the licensing process and is not a permit or license to build the project. The Energy Commission is still the lead agency under CEQA and will prepare an Initial Study and Final Decision. The power plant developer must apply for the various appropriate licenses and permits from local, state and federal agencies. Those local and state agencies will use the Energy Commission's CEQA document when issuing their respective permits.

The Energy Commission's transmission corridor zone designation (TCD) process includes the determination of the consistency of a proposed corridor zone with the latest Strategic Transmission Investment Plan (Strategic Plan) adopted by the Energy Commission; the preparation of a Program Environmental Impact Report (PEIR) by the Commission staff; and staff consultation with and participation of local, state and federal agencies, tribal governments, non-governmental organizations, affected landowners, and the public in the proceeding. The environmental assessment includes a review of alternative corridors and "non-wires" alternatives, such as conservation or demand response measures, and evaluates constraints, impacts, mitigation measures and avoidance opportunities. The Commission's determination of the corridor's consistency with the Strategic Plan and the PEIR provide the basis for designation of a transmission

II. Background, continued

corridor zone and can be used, consistent with CEQA, to streamline the future permitting of a transmission line within the corridor.

In addition to reviewing TCD applications, the Energy Commission may, on its own motion, propose a TCD. Energy Commission staff would be responsible for developing such a proposal and representing it through the review process.

In the power plant and transmission line siting and transmission corridor zone designation processes, the Energy Commission staff acts as an independent party which makes recommendations to the Energy Commissioners, who are the decision makers in the proceedings.

The Energy Commission's Siting and Designation Processes

The Energy Commission's siting and designation processes are composed of the following components:

- Prefiling guidance to developers preparing applications;
- Data adequacy review to determine if the application contains the minimum information required by regulation so that all the subsequent analyses can begin;
- Issue identification report which outlines the issues which are likely to be discussed during the application review;
- Informational hearing for the public conducted by the Energy Commission Committee (Committee) assigned to the proceeding;
- Data requests (and data responses review) which are given to the applicant to clarify the required information submitted in the application and to supplement the description of the project, impacts, alternatives, and mitigation measures;
- Preliminary Staff Assessment (PSA) or Draft PEIR preparation, which outlines the staff's initial views on the issues and how they might be resolved;
- Public workshops to resolve the issues described in the PSA or Draft PEIR, considering the input from the public, governmental agencies, and other interested parties;
- Final Staff Assessment (FSA) or Final PEIR (FPEIR) preparation, which outlines the staff's views on all resolved issues, defines the staff's position on unresolved issues, and provides a recommendation and basis for an Energy Commission decision on the application and all appropriate conditions of certification or designation;
- Public evidentiary hearings on the FSA or FPEIR, conducted by the Committee, to solicit all parties' views on the unresolved issues;
- Presiding Member's Proposed Decision (PMPD), which describes how the Committee proposes to resolve all the issues, recommends if the Energy Commission should approve the application, and defines the Conditions for Certification or Designation, if approved;
- Final Decision based on a public hearing and vote of the full Energy Commission.

II. Background, continued

- Compliance monitoring of a Certification conducted by staff to ensure the approved facilities are built and operated in accordance with the Conditions of Certification.
- Review and analysis of proposed amendments of project certifications that have been approved by the Energy Commission.
- Review of a Transmission Corridor Zone Designation and associated conditions at least every 10 years.
- Respond to a local agency that has notified the Energy Commission of a potential development project that could threaten the potential to construct a high-voltage electric transmission line in the designated corridor.

The Project Team

When an application is filed, a Project Manager, staff attorney, and technical experts are assigned in the appropriate environmental and engineering fields to form a project team. The project team works under the direction of the Project Manager to meet the project schedule developed by the Project Manager and adopted by the Committee.

The Application Review

Project team members review the application and prepare their respective data requests and analyses to meet the various product requirements, and participate in public workshops and hearings to explain their work products, and listen to comments. They also work with their respective public agency counterparts to ensure the agency views and legal requirements are incorporated into the staff's analysis. All staff products undergo a review for quality and consistency with Energy Commission practices.

While the project team reviews the project as described in the application, the applicant may propose changes to the project design, which require the relevant analysis to be adjusted. These project design changes are described by the applicant in supplements to the application. The Committee may also want staff to consider additional issues that may not have been previously analyzed. The Committee defines these additional issues in Committee Orders, which may direct parties to file additional materials.

Other Environmental, Engineering and Regulatory Activities

The Energy Commission conducts a range of activities designed to facilitate the siting of energy infrastructure facilities or the designation of transmission corridors in California. This includes the programmatic assessment of issues related to permitting of energy infrastructure facilities, including transmission lines; gathering and analyzing environmental and engineering data related to energy infrastructure permitting; and advising local, state, and federal agencies on regulatory issues related to the permitting of energy infrastructure facilities or the designation of transmission corridors. This work requires the same core environmental, engineering and regulatory expertise required for the Energy Commission's siting of power plants, and designating of transmission

II. Background, continued

corridors. Following are some examples of the activities carried out by the Energy Commission.

Analyzing the Affect of New Legislation, Regulations, Laws, Legal Decisions and Policies on Electricity Infrastructure Permitting and Operation

The Energy Commission identifies and reviews new legislation, regulations, laws, legal decisions and policies that affect the permitting or operation of California's electricity infrastructure or related planning processes.

For example, water policies at the federal and state level are restricting the use of once-through cooling in existing and proposed power plants to address the significant impact of once-through cooling on marine life. The Energy Commission is responsible for analyzing the environmental and engineering implications of such policies, and for recommending policies to balance state and federal environmental goals with the state's need for reliable supplies of electricity.

For example, legislation addressing climate change, such as AB 32 (2006 Nuñez), requires California industries to reduce their greenhouse gas emissions over time. The Energy Commission may provide environmental, engineering, and regulatory technical support to help develop greenhouse gas related policies and regulations pursuant to legislation such as AB 32 and related executive orders. The Energy Commission will likely be responsible for developing criteria, in consultation with the Air Resources Board, to evaluate the greenhouse gas emissions and associated environmental impacts of power plant projects under Energy Commission permitting jurisdiction, as well as policies for mitigating project climate impacts, and approving or denying power plant applications based on project greenhouse gas emissions.

III. SCOPE OF WORK

About This Section

In this section, the Energy Commission describes the tasks the Bidding Firm (referred to as “Contractor” in the Scope of Work) will be asked to perform under the direction of the Energy Commission Contract Manager. This section also describes the work assignment process, deliverables, and due dates.

Work Guarantee

All members of the Contractor team, including employees of the Contractor, are eligible to perform and may be assigned technical work. However, there is no guarantee that work will be required in all areas, or that every person or firm listed in this Agreement will receive work during the Agreement period. Additional people or firms may be added during the course of this Agreement, if necessary, upon approval by the Energy Commission staff.

Work Authorizations

This is a “Work Authorization” Agreement and no work shall be undertaken unless authorized by the Energy Commission through a specific written document called a “Work Authorization”. The Contract Manager will prepare and issue the written work authorizations that define the scope of work, the schedule of deliverables and the project budget. The amount of Contractor assistance required for each project will vary depending on the availability of Energy Commission staff with expertise in specific areas and the sensitivity of issues associated with the project. Final assignment of tasks and maximum payment on individual projects will be described in work authorizations signed by the Contractor and Energy Commission’s Contract Manager.

To ensure the timeliness and success of all work performed under this Agreement, the Contract Manager will work closely with the Contractor to administer the Agreement, and a staff person will be assigned as a Work Authorization Manager to direct and review the work of assigned contractors on individual work assignments throughout all phases of the Agreement. The Energy Commission staff will review all products and deliverables to ensure quality, consistency and compliance with Energy Commission policies.

All Work Authorization must be reviewed by the Energy Commission’s Information Technology Services Branch (ITSB) to determine if any information technology (IT) activities or acquisitions are included in the Work Authorization. If it is determined the Work Authorization includes IT activities or acquisitions the Energy Commission’s Chief Information Officer or designee must approve the Work Authorization before the Work Authorization can be executed. Activities under the Agreement may include, but may not be limited to using GIS software to produce maps.

III. Scope of Work, continued

Work Performance

The Energy Commission cannot accurately predict far into the future when work will be required under this Agreement. The need to supplement staff resources with the Contractor's services will vary in response to submittals by developers of energy facilities, possible Energy Commission decisions to designate a transmission corridor on its own motion, or a directive from the Governor's Office to carry out siting-related or designation-related activities. Further, once the need for work is initiated, the work may need to proceed at a quick pace to meet the required analytical and procedural deadlines. Accordingly, the Contractor will need to be able to respond to the Energy Commission's requests for technical support on a timely basis. The Contractor shall respond to requests for work in accordance with the following pattern:

- The Energy Commission's Contract Manager shall provide at least two (2) week's notice that a significant work effort will be required and the Contractor will need to assemble an effective and trained team during that period.
- The Contractor shall provide individual experts to handle specific issues with only two (2) days' notice.
- The Contractor shall return telephone calls and e-mails from the Energy Commission's Contract Manager and provide an initial response within four (4) hours.
- The Contractor and all team members shall meet the agreed upon product deadlines on the day they are due.
- The Contractor and all team members shall meet the agreed upon event deadlines on the day, hour, and location needed.
- The Contractor shall provide quality assurance on its draft products before delivery to the Energy Commission's Work Authorization Manager.

Contractor Activities

The Contractor shall perform the following activities in carrying out the tasks under this Agreement. These activities are the general types of work Contractor will perform, in order to accomplish the tasks listed in this Agreement. These are not stand-alone activities, but are the types of work required to perform tasks 1-16 below. All work requested via work authorization will fit within one or more of the 16 tasks.

- Perform California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) analysis.
- Perform environmental and engineering analysis.
- Develop recommendations regarding environmental and engineering issues.
- Prepare written testimony and present oral testimony.
- Write, edit and/or publish technical reports.

III. Scope of Work, continued

- Review and comment on technical reports.
- Identify, review and evaluate data. Develop information requests for data from sources outside of the Energy Commission, such as project developers, agencies, or other sources with information relevant to permitting electricity infrastructure.
- Conduct literature searches and review existing studies.
- Attend, participate in, facilitate, organize and/or present at meetings, workshops and hearings.
- Conduct field assessments to collect and analyze information on energy and environmental resources, land use patterns, existing energy facilities, engineering suitability of specific sites for electricity generation and transmission facilities, and related environmental and engineering matters.
- Evaluate the effects of existing or proposed laws, ordinances, regulations and standards of local, state or federal agencies on the permitting and operation of power plants and transmission lines or the designation of transmission corridors.
- Consult with agencies in determining the applicability of their laws and regulations to power plant licensing or transmission corridor designation applications, and in planning for the permitting and development of energy resources and related transmission line infrastructure.
- Use complex analytical models and decision support tools related to environmental and engineering matters, including developing high quality model inputs and assumptions.
- Compare the potential environmental impacts, engineering feasibility, potential costs and electricity system impacts of different electric generation or transmission project types and configurations, generally or in specific environmental settings.
- Answer Energy Commission staff's, Commissioners', and Commissioner Advisors' technical questions about environmental, engineering, and regulatory issues associated with electric generation projects and transmission lines.

Specific Tasks

The Contractor will be required to perform management functions; to complete a series of specific tasks in analyzing Applications for Certification (AFC), Applications for Amendments to Energy Commission Decisions and existing Conditions of Certification (Amendments); Small Power Plant Exemptions (SPPEs), Transmission Corridor Designation (TCD) applications; and to provide technical support services.

III. Scope of Work, continued

Upon issuance of a work authorization, Contractor shall:

Management and Administration **(Task 1)**

The Contractor will be required to perform the following management task.

Task 1 – Contract Management and Administrative Duties

A maximum of 10% of the total Agreement budget will be allocated for this task. The Contractor will be required to perform contract management and administrative duties to manage the Agreement.

The Contractor shall:

- Supply cost estimates for potential work tasks to Energy Commission technical staff.
- After approval of potential work tasks by the Energy Commission Siting, Transmission and Environmental Protection Division management, supply information for work authorization development to the Energy Commission Work Authorization Manager; including a definition of the scope of work, the schedule of deliverables and the work task budget.
- Prepare and execute agreements with subcontractors that convey all provisions contained in the Agreement and specific work authorizations between the Energy Commission and the Contractor.
- Enforce subcontract provisions, and in the event of failure of the subcontractor to perform satisfactorily, recommend actions to resolve the problem.
- Require subcontractors to provide invoices which correctly identify personnel, rates, actual hours, and direct expenses charged to each task of each work authorization and which provide adequate documentation to justify expenses, including electronic copies of completed deliverables. Maintain electronic record of invoices and invoice documentation, including completed deliverables. For work assignments spanning a lengthy period, the work authorization may be structured to allow billing for completed interim deliverables. Subcontractor invoices will be reviewed by the Contractor and the Energy Commission Work Authorization Manager, technical staff, or Contract Manager for accuracy and completeness.
- Provide monthly progress reports by the tenth of each month to the Energy Commission's Contract Manager on the Contractor's and subcontractors' progress for work assignments, including a summary of contract expenditures to date.
- Submit monthly invoices by the tenth of each month to the Energy Commission's Accounting Office with a copy to the Energy Commission Contract Manager. Invoices shall indicate the labor costs, operating expenses, fees and Disabled Veterans Business Enterprise (DVBE) amounts. Invoices shall coincide with the monthly progress report timeframe. Invoices will not list work authorizations not issued at the time of invoice preparation.

III. Scope of Work, continued

- Pay subcontractors for satisfactory products within five working days after payment is received from the Energy Commission.
- Develop and maintain a secure website to share contract-related information with Energy Commission staff and to track the status of all work authorizations.
- For each fiscal year, prepare a Final Report on the work accomplished during that fiscal year and a brief (200 words or less) abstract.

Incidental Services Tasks

(Task 2 and 3)

In addition to Management and Administration duties (Task 1), the Contractor shall provide incidental services to support the environmental and engineering related work of Energy Commission staff and consultant technical specialists.

Task 2 – Document Production

The Contractor shall:

- Produce graphics to support Energy Commission documents and analysis, including Geographic Information Systems (GIS) maps, and photographic and artistic renderings.
- Write, edit and synthesize technical documents based on technical information from one or more sources to ensure the technical accuracy, correct grammar, unified style and clarity of Energy Commission documents, including without limitations, staff assessments and PMPD. Ensure that the written products of staff and the Contractor's technical specialists clearly convey their intended message to the public and all stakeholders.
- Format and prepare electronic documents for high quality printing and/or binding. Print and/or bind documents in high-quality formats.

Task 3 – Interpreting and Translation Services

- The Contractor shall translate documents and/or interpret verbal comments between English and Arabic, Armenian, Cantonese, Cambodian, Farsi, Hmong, Korean, Mandarin, Punjabi, Russian, Spanish, Tagalog, Vietnamese and other languages as required. Interpreting services will be required at onsite and offsite meetings, workshops and hearings.

Power Plant Siting and Transmission Corridor Designation Tasks

(Tasks 4 – 10)

The Contractor will be required to perform the following tasks to support the Power Plant Siting and Transmission Corridor Designation Programs. The specific tasks and degree of effort the Contractor performs for each project may vary. Work authorizations for specific applications for AFCs, SPPEs, Amendments and TCD projects will detail the location of the proposed project and technical area for Contractor's work. Specific due

III. Scope of Work, continued

dates for Contractor's work will be set pursuant to the project schedule developed by the project manager for the project application.

Energy Commission staff may direct the Contractor to review TCD applications from developers or utilities, and/or staff proposed TCD applications. For a TCD application the Contractor has helped staff to prepare, the Contractor may be directed to represent staff on the application in the TCD proceeding.

Task 4 – Data Adequacy Assessment (Applies to AFC/TCD Only)

The Energy Commission must determine if applications contain the substance of information required by the appropriate regulations. Energy Commission staff must make a data adequacy recommendation to the full Commission within 30 days of the filing of the application, and the Energy Commission must act on the recommendation at a public meeting within 45 days of the filing. If the Energy Commission finds that the application is incomplete, it must provide the applicant a written list of deficiencies that must be addressed in a supplemental filing by the applicant, should the applicant choose to continue. The Energy Commission must make any subsequent data adequacy determinations within 30 days of receipt of the supplemental filing.

The Contractor shall:

- Compare the contents of the application with the information requirements.
- Identify any deficiencies.
- If necessary, meet with the applicant in a pre-acceptance workshop and explain the deficiencies and expected information.
- If necessary, assist the Energy Commission's Siting, Transmission and Environmental Protection Division Management in forming an overall data adequacy recommendation.
- If necessary, participate in a data adequacy hearing. To be completed within 45 days after filing.

The schedule for activities and products varies between AFCs and TCDs. The typical schedule for activities and products during a 12-month AFC or TCD data adequacy review is as follows:

Event	Calendar Day	Product
Document Received	-0-	Application
Pre-acceptance Workshop if needed	15	Workshop
Staff Data Adequacy Recommendations to Project Manager (PM)	20	Data Adequacy Worksheets
Data Adequacy Briefing with Division Management	25	Meeting

III. Scope of Work, continued

Data Adequacy Recommendations to Executive Office	28	Meeting
Executive Office Data Adequacy Recommendation	30	Recommendation to Energy Commission
Business Meeting on Data Adequacy	45	Business Meeting Order

Note: All days are based upon the date of filing.

Task 5 – Discovery (Applies to AFC/SPPE/Amendment/TCD)

During the discovery phase of the project, the Contractor will collect all information necessary to evaluate the project and prepare the analysis in the next task.

The Contractor shall:

- Review the application and other materials and coordinate with appropriate state, local, or federal agencies to determine the significant issues of the project for each technical area.
- Prepare data requests and attend publicly noticed workshops to discuss either the requests or the applicant's responses if additional information is needed from the applicant.
- Participate in site visits, necessary field studies and informational hearings.

The schedule for activities and products varies between AFCs, SPPEs, Amendments and TCDs. The typical schedule during the 12-month AFC or TCD discovery phase is as follows:

Event	Calendar Day	Product
Written Data Requests to PM	15	Data Requests
Data Requests to Applicant	25	Letter
Site Visit/Informational Hearing	30-45	Field Trip
Data Request Workshop	35	Workshop
Responses Filed	55	Responses
Data Response Workshop	65-75	Workshop
Second Data Requests to PM (if needed)	70	Data Requests
Second Data Requests to Applicant (if needed)	80	Letter
Second Data Request Workshop (if needed)	85	Workshop
Second Set of Responses Filed (if needed)	100-110	Responses
Second Data Response Workshop (if needed)	115-120	Workshop

Note: All days are based upon the date acceptance. Actual schedules may vary based upon the Committee Orders, issues in the case, and type of process.

III. Scope of Work, continued

Task 6 – Analysis (Applies to AFC/SPPE/Amendment/TCD)

This task requires the Contractor to prepare a written evaluation of the project for each technical area assigned.

The Contractor shall:

- Identify all applicable federal, state and local laws, ordinances, regulations, standards (LORS), policies or plans that apply to the project.
- Describe the existing conditions at or near the project.
- Assess the direct, indirect and cumulative impacts of the proposed project.
- Evaluate the project's ability to comply with applicable LORS.
- Evaluate applicant's proposed measures to eliminate or reduce significant impacts or comply with applicable laws.
- Recommend additional mitigation measures.
- Evaluate, and make recommendations regarding, any feasible alternatives to the project.
- Recommend specific conditions for certification or designation and methods for verifying that conditions have been met.

Analyses will be based upon Contractor's review of the application, communication with appropriate federal, state and local agencies, attendance at informational hearings, consideration of various parties' comments and concerns, participation in site visits and necessary field studies, review of available information, and independent analyses.

The Energy Commission will specify the analysis format. The Contractor will be expected to give consideration to various parties' comments and concerns, respond to any comments from Energy Commission staff and incorporate changes into the draft or final analyses that do not compromise the Contractor's professional expert analysis. Workshops may be conducted with the applicant to discuss the results of the analysis and/or proposed recommendations.

The schedule for activities and products varies among AFCs, SPPEs, Amendments and TCDs. The typical schedule during the 12-month AFC or TCD analysis phase is as follows:

Event	Calendar Day	Product
Sections of Preliminary Staff Assessment (PSA) or Draft Program EIR (DPEIR) with no Data Requests	70	PSA or DPEIR Section
PSA or DPEIR Sections for Areas with only one set of Data Requests	105	PSA or DPEIR Sections
All Remaining PSA or DPEIR Sections	141	PSA or DPEIR Sections

III. Scope of Work, continued

PSA or DPEIR Distributed	150-165	PSA or DPEIR
PSA or DPEIR Workshops	165-180	Workshops
Pre-hearing Conference Statements Filed	175	PHC Statements
Pre-hearing Conference	180-200	PHC
FSA or Final PEIR (FPEIR) Filed	200-220	FSA or FPEIR (Testimony)

Note: All days are based upon the date acceptance. Actual schedules may vary based upon the Committee Orders, issues in the case, and type of process.

The staff assessment for a SPPE is shorter since it consists only of an initial study and separate analysis of power plant efficiency. Only one draft is prepared and submitted for public review and the entire process from application to Commission Decision is only 135 days long.

Task 7 – Hearings/Decisions (Applies to AFC/SPPE/Amendment/TCD)

The Contractor will be required to write expert witness testimony and present it at evidentiary hearings. The testimony will be based on the initial analyses and any subsequent analysis necessary to respond to a specific issue or Committee request.

The Contractor shall:

- Prior to the hearings, participate as needed in PSA workshops and pre-hearing conferences to discuss conclusions and recommendations with the applicant, interveners, the public and the Committee. The purpose of these meetings is to determine areas of potential agreement and disagreement for discussion in the non-adjudicatory and evidentiary hearings.
- Prior to the evidentiary hearings, work on witness preparation with the Energy Commission's legal counsel assigned to the project. The Contractor will work with counsel to prepare rebuttal testimony and required legal briefs.
- During the hearings, the Contractor shall present expert testimony, answer questions of the Energy Commission and legal counsel and respond to cross-examination.
- Following the hearings, the Committee will prepare the proposed decision. The Contractor shall review the proposed decision in the appropriate subject areas and comment on facts, conclusions and recommendations from staff's perspective.
- If necessary, the Contractor will appear at hearings on the proposed and final decisions to present its position. Hearings must commence no earlier than day 90, nor later than day 240 in the 12-month process.

The schedule for hearings and decisions varies among AFCs, SPPEs, Amendments and TCDs. The typical schedule during the 12-month AFC or TCD hearings/decisions phase is as follows:

III. Scope of Work, continued

Event	Calendar Day	Product
Evidentiary Hearings	220-240	Hearing
Committee Issues Presiding Member's Proposed Decision	305	Presiding Member's Proposed Decision
Committee Hearing on Proposed Decision	330	Hearing
Staff Comments on Presiding Member's Proposed Decision	335	Comments
Hearing on Decision	365	Hearing

Hearings on SPPEs and AFC amendments are similar to those above. During the SPPE process, however, only a Proposed Decision is prepared for consideration and final adoption. Note that all Calendar Day listings are approximate.

Task 8 – Siting Project Management (Applies to AFC/SPPE/TCD)

The Contactor will be required to provide project management services to support processing AFCs, SPPEs and TCDs.

The Contractor shall:

- Plan, organize and direct the work of an interdisciplinary environmental and engineering staff team engaged in the review of complex or controversial energy facility siting applications.
- Critically review, evaluate and edit project correspondence, reports, testimony, briefs and position papers. Serve as the editor-in-chief and publisher for all major project documents. The work will include preparing and publishing Environmental Impact Reports and Initial Studies/Negative Declarations.
- Organize and conduct workshops and meetings among the staff and between the staff and energy facility developers, other governmental agencies, private organizations and the public to discuss environmental issues and other siting concerns.
- Represent the Commission staff at Energy Commission business meetings by making siting project presentations and answering general questions from the Commissioners.
- Provide expert witness testimony in evidentiary hearings on overall features of the proposed project.

Task 9 – Compliance Monitoring and Analysis of Amendments

The Contractor will be required to provide technical and project management support to the Power Plant Compliance program. This will include compliance monitoring and analysis of proposed Amendments to Energy Commission Decisions, as detailed below.

III. Scope of Work, continued

The Contractor shall:

- Coordinate with power plant owners/operators and relevant state and local agencies to monitor the project's compliance with conditions of certification included in the Energy Commission's Decision.
- Review periodic compliance reports filed during both the construction and operating phase of a project, as well as site visits, to assess whether the project is in compliance. If compliance issues are identified the Contractor will be required to provide written analyses and recommendations to resolve them.
- Review and analyze proposed project compliance amendments, which an owner/operator may file after a project has been approved by the Energy Commission. Amendments may include minor changes to conditions of certification affecting the construction or operation of a project, or involve major changes to the design, location or operation of a project. In conducting the analysis, the Contractor will need to evaluate, in consultation with appropriate agencies, whether the proposed amendment will result in significant unmitigated environmental impacts or conflict with applicable laws, ordinances and regulations. Based on the analysis, the Contractor will be required to coordinate the work of technical specialists preparing written staff analyses, including findings and appropriate recommendations.
- Provide engineering oversight over the Energy Commission Delegate Chief Building Officials (DCBO) responsible for project code compliance during construction activities. Support DCBO audits, review of specific DCBO issues and development of DCBO related guidance documents.
- Present Compliance staff analysis at a workshop or public hearing and respond to questions.

Task 10 – Cultural Resources Cumulative Impact Mitigation Support

Large solar projects located in the same region have the potential, collectively, to have a significant cumulative impact on the cultural resources of the region. Mitigating such cumulative impact may require a unified effort, which can be difficult to achieve when multiple projects with varying ownership patterns are responsible for implementation. In these circumstances, the Energy Commission may decide to manage the mitigation activities in-lieu of the project owners, although the project owners must still take financial responsibility for mitigating the project impacts by paying for the effort.

For example, the Energy Commission staff is currently managing such a mitigation effort to address the cumulative impact from several certified solar projects. This effort involves region-wide cultural landscape studies that entail extensive prehistoric and historic-period data acquisition from past and current projects, data analysis and synthesis, the production of a report, and possibly the nomination of one or more of the identified landscapes to the National Register of Historic Places (NRHP). This effort is expandable if new projects are proposed in same region. The current landscape studies make use a range of specialized contract personnel, including archaeologists, geoarchaeologists, ethnographers, historians, historical archaeologists, and GIS

III. Scope of Work, continued

database designers and managers. Future landscape studies would require similar expertise.

To support Energy Commission-managed cultural resources cumulative impact mitigation efforts, the Contractor shall:

- Review and assess the existing cultural resources information for the landscapes; meet and confer with Energy Commission and any involved federal, state and county cultural resources staffs, project cultural resources personnel, and Native American tribal representatives; and set up inter-project coordination protocols.
- Work with all project archaeologists, geoarchaeologists, ethnographers and historians to ensure the accurate and consistent recordation of landscape data and the accurate and consistent coding of data for input into a GIS database.
- Compile and synthesize regional geomorphological data and provide site-specific landform information to project archaeologists.
- Collaborate to set up, populate, maintain and process data for a GIS database for the landscapes.
- Synthesize all available previously and newly recorded archaeological, geoarchaeological, ethnographic, and historical data; decide, for each landscape, if an NRHP nomination is warranted; write the nominations, if justified; and write a final report on the conduct and results of each landscape study.
- Add data from new, later projects in the region into landscape GIS databases and nominations.
- Assist the Energy Commission in disseminating the results of the landscape synthetic studies to both the professional community and the public, act as technical advisors for the development of public presentations of information generated by the landscape program, and support on-going Native American heritage preservation projects.

Task 11 – Preparing Transmission Corridor Designation Applications

The Energy Commission may, under its own motion, propose the designation of a transmission line corridor. In that event, the staff will file an application to designate the proposed transmission line corridor. The Contractor may be directed to assist staff in preparing one or more applications to designate transmission corridors in support of one or more Energy Commission motions. When directed by staff to assist in preparing an application, the Contractor shall ensure the satisfaction of all informational requirements under Title 20, California Code of Regulations, section 2321 and Appendix A for each technical section assigned by the staff.

III. Scope of Work, continued

The Contractor shall assist staff with the following:

- Prepare a description of the proposed transmission corridor, its location, the region in which it is proposed to be located, and the transmission facilities anticipated to be within the corridor.
- Prepare a description of planning time frame, objectives and conformance of the proposed corridor with the state's needs and objectives as set forth in the latest adopted Strategic Transmission Investment Plan (STIP).
- Prepare a description of a reasonable range of alternative corridors that could meet the basic objectives of the proposed corridor.
- Prepare an environmental assessment of the proposed corridor, including a reasonable range of alternatives and feasible ways to mitigate or avoid foreseeable significant environmental impacts.
- Prepare a description of new generation, energy efficiency and demand reduction measures that are likely to be available during the planning timeframe of the proposed corridor.
- Coordinate with federal, state and local agencies to assure conformance of the corridor with existing laws, ordinances and regulations, existing land use patterns, and growth management plans and policies.
- Assist staff in preparing the transmission line corridor application and supporting appendices.
- Prepare written responses to information requests from parties to the Commission's corridor designation proceeding.
- Participate in public workshops to present aspects of the application and answer questions.
- Prepare and present written testimony, based on the application, at hearings held by the Commission Committee.

Environmental Services and Engineering Tasks

(Tasks 12 – 14)

The Contractor shall support staff in the continuous updating of the Energy Commission's policies and knowledge base regarding power plant siting and compliance, transmission line planning and corridor designation. This work includes identifying and reviewing LORS, providing technical assistance regarding greenhouse gases, climate change and gas transmission pipeline safety, and providing training on environmental and engineering topics.

III. Scope of Work, continued

Task 12 –Laws, Ordinances, Regulations and Standards Assistance

The Contractor shall:

- Identify and review Laws, Ordinances, Regulations and Standards (LORS) that apply to electricity infrastructure projects subject to the Energy Commission's power plant certification and transmission corridor designation authority. Applicable LORS are those that apply to the location, design, construction or operation of a proposed facility for certification or designation by the Energy Commission.
- Summarize applicable LORS and compile a compendium for each technical area analyzed in an AFC, SPPE or TCD application. Update the compendium for each technical area as LORS change.
- Conduct analysis and gather evidence to support Energy Commission rulemakings to implement new, or revise existing, regulations that apply to electricity infrastructure projects subject to the Energy Commission's certification or designation authority.
- Analyze and report on the effects of U.S. Environmental Protection Agency (USEPA) and State Water Resources Control Board (SWRCB) water quality control actions on Section 316 (b) of the Clean Water Act and on the use of coastal and estuarine waters for power plant cooling. Coordinate with federal, state and local agencies and assist in conducting environmental and/or engineering analysis of federal and state environmental impact documents related to Section 316 (b) of the Clean Water Act and SWRCB power plant cooling policies. Assist staff in developing alternative analyses to be submitted to state or local agencies for use in developing their cooling water control strategies. Assist staff in conducting analyses of 1) water consumption in the electric generation sector in California and 2) measures for reducing consumption of potable water and/or impacts from the use of seawater. Analyses may address, for example, feasibility, costs, benefits, effects on power plant performance, water and energy supply and consumption, environmental effects and consequences of power plant retrofits.

Task 13 – Greenhouse Gases and Global Climate Change Assessment

The Contractor shall provide engineering and environmental services technical assistance to Energy Commission staff, Commissioners, Commissioner Advisors and other stakeholders in assessing greenhouse gas (GHG) emission impacts in Energy Commission power plant licensing cases and compliance assessments.

The Contractor shall:

- Evaluate the effects of greenhouse gas reduction programs applicable to California energy facilities, renewable energy generation market penetration, federal and state climate change and GHG rulemaking, and energy efficiency programs. This will establish the baseline conditions and effect of the project on the baseline and existing GHG reduction programs for Energy Commission power plant licensing cases and compliance assessments.

III. Scope of Work, continued

- Review GHG emissions estimate forecasts for Energy Commission energy forecast model inputs and policies and incorporate them into GHG analyses performed for Energy Commission power plant licensing cases and compliance assessments.
- Provide expert testimony in licensing cases and compliance assessments.
- Based on the GHG and Climate Change assessments performed during, and in preparation for, Energy Commission power plant licensing cases and compliance assessments, provide expert testimony in state and federal policy and rulemaking proceedings on global climate change and GHG emissions.

Task 14 – Natural Gas Pipeline Safety Assessment

The Contractor shall provide technical engineering assistance to Energy Commission staff, Commissioners, Commissioner Advisors and other stakeholders in assessing natural gas pipelines in the Energy Commission's power plant licensing cases and compliance assessments.

The Contractor shall:

- Monitor the Order Instituting Investigation (OII) at the CPUC related to gas transmission line safety including the San Bruno pipeline rupture incident. Identify and summarize changes and proposed to changes to gas transmission line safety related LORS, policies and best practices applicable to Energy Commission jurisdictional power plants. Based on the natural gas pipeline safety assessments performed during, and in preparation for, Energy Commission power plant licensing cases and compliance assessments, provide technical input to the OII proceeding on gas transmission line safety.
- Conduct a survey of existing Energy Commission jurisdictional power plants' pipelines and interconnections features, integrity management, maintenance and record keeping status.
- Conduct a review of needs for gas pipeline related Conditions of Certification in Energy Commission power plant siting cases.
- Review Energy Commission jurisdictional power plants' ongoing compliance with related LORS.
- Conduct a review of potential impacts of interconnections to pipeline infrastructure and public safety.
- Provide expert testimony in licensing cases and compliance assessments.
- Based on the natural gas pipeline safety assessments performed during, and in preparation for, Energy Commission power plant licensing cases and compliance assessments, provide expert testimony in state and federal policy and rulemaking proceedings on California power plant natural gas pipeline safety.

III. Scope of Work, continued

Task 15 – Train Staff, Commissioners, Commissioner Advisors and Other Stakeholders

The Contractor shall provide technical training to Energy Commission staff, Commissioners, Commissioner Advisors and other stakeholders responsible for environmental protection or transmission system planning. Training will cover environmental and engineering topics associated with electric generation projects and transmission lines; data gathering and analysis; use of computer models; and other technical skills needed to review and analyze power plant permitting or transmission corridor designation applications. The Contractor may conduct training sessions with staff at the Energy Commission, at an offsite location, or by teleconference or internet. Work authorizations issued for training will indicate what expenses Contractor will be responsible for, depending on the needs of the particular training session. The work authorization will specify whether Energy Commission or Contractor will cover costs involved in conducting a training session, such as facility rental, equipment, or printing.

IV. Conflict of Interest

Conflict of Interest Requirements For Different Types of Work

For the purposes of the Agreement resulting from this RFQ, the Energy Commission will be applying two different sets of conflict of interest requirements.

- **Pending or Expected Applications at the Energy Commission:**

The Energy Commission has determined that it is inappropriate for it to contract with a team that continues to enter into new contracts or working relationships, after the start of the Agreement with the Energy Commission, with a developer who is submitting to the Energy Commission an Application for Certification for an energy facility or an application to designate a Transmission Corridor Zone ("TC Zone"). A Bidding Firm may submit a SOQ even if it, or its team members, have current contracts or working relationships with a developer who has a current or anticipated application before the Energy Commission. However, after the start of the Agreement with the Energy Commission, the Bidding Firm and team members must complete the work for the developer as soon as possible and may not enter into new contracts or relationships with developers.

- **Previous Work on Applications & Source of Income:**

The Energy Commission has determined that it is inappropriate for team members to work on applications on which they have previously worked, or, work on applications from a developer for whom the team member is currently working or has worked within the twelve months prior to the start of the work for the Energy Commission.

Conflict of Interest Rules

In order to ensure objectivity during the Energy Commission's public, open, and objective licensing process, the Prime Contractor and all team members must be free of conflicts of interest created by involvement with any developer who has filed or is planning to file an application for an energy facility license or designation of a TC Zone in California. Specifically, a person is not Available to Work on assignments if they are currently employed by any developer (or any of its agents) who has filed an application for an energy facility or TC Zone with the Energy Commission or is preparing to file an application for an energy facility or TC Zone with the Energy Commission.

Team members assigned to the energy facility or TC Zone related work under the Agreement will be acting in place of Energy Commission staff during these proceedings and must adhere to the same conflict of interest standards as Energy Commission employees. Since the Energy Commission staff is an independent party to the Energy Commission's energy facility and TC Zone proceedings, the Energy Commission must avoid a conflict of interest that could be created by the Energy Commission's consultants also working for any developer (directly or indirectly) involved in energy facility or TC Zone proceedings.

IV. Conflict of Interest, continued

The Energy Commission does not consider a conflict of interest to exist if a consultant is employed by such a developer after the term of the Agreement expires, provided that negotiations or any arrangements concerning employment with the developer do not occur during the term of the Agreement.

In this section, an application means an Application for Certification, a Small Power Plant Exemption, a Notice of Intention, or a TC Zone Application filed or to be filed with the Energy Commission. A developer or applicant means the business entity that is responsible for filing the application and all of its parent companies and subsidiaries.

Rule 1: Eligibility to Submit SOQ

A Bidding Firm is eligible to submit a SOQ whether or not it is currently employed by a developer (or any of its agents) who has filed an application and is currently seeking approval from the Energy Commission for an energy facility or designation of a TC Zone, or by a developer (or any of its agents) that is preparing to file an application with the Energy Commission. A Bidding Firm currently working for such a developer (or any of its agents), will not be able to count that developer toward the minimum number of applications required. (See the “Minimum Requirements for Submitting SOQ” section below for more information on minimum requirements.)

The Agreement with the Energy Commission will have a provision that prohibits the contractor during the term of the Agreement from entering into an agreement or working relationship with a developer (or any of its agents) that is seeking an energy facility license or designation of a TC Zone from the Energy Commission or preparing an application for such. This rule ensures that the Contractor’s objectivity is not biased by its financial ties to a developer.

Rule 2: Availability to Work on Contract

Summary of the rule: During the term of the Agreement, the Contractor will not be requested or allowed to review an application involving a project on which the Contractor has previously worked. During the term of the Agreement, the Contractor will also not be requested or allowed to review an application from a developer for whom the Contractor is currently working or has worked within the twelve months prior to the start of review. For more detailed information on work assignments, and the impact of prior work and income, see the full text of the Agreement term covering work assignments, at the end of this section.

This rule is used to determine which projects the Contractor will be assigned to work on. This rule ensures that the Contractor will not be allowed to review its own previous work. While this rule does not prohibit the Energy Commission from signing an Agreement with the Bidding Firm, it affects the availability of the Bidding Firm (Contractor) during the Agreement to work for the Energy Commission on particular projects.

IV. Conflict of Interest, continued

Minimum Requirements for Submitting SOQ

In order for a Bidding Firm's SOQ to be accepted and scored on the technical substance, the Bidding Firm must meet the conflict of interest minimum requirements described below in this section. Each Bidding Firm must identify a team that can cover every issue area topic and sub-topic listed on the Potential Conflicts Spreadsheets. (The requirements to cover the issue area topics and sub-topics are described below.) A Bidding Firm that does not cover every issue area topic and sub-topic will not move onto the technical scoring part of the RFQ process.

Definitions used in this section:

Senior Technical Specialist: A Senior Technical Specialist for a topic or sub-topic is defined to be a Team Member that the Bidding Firm identifies as qualified to prepare and submit analysis on the topic or sub-topic directly to Energy Commission staff without requiring further review by other Team Members.

Subcontractor Firm: A subcontractor firm includes a subcontractor entity (such as a partnership or a corporation), and also includes a subcontractor who is a self-employed individual.

Available to Work on a Particular Project: A Senior Technical Specialist is defined in this RFQ to be Available to Work on a Particular Project if he/she has no conflicts of interest associated with working on the project according to the "Availability to Work on Contract" rule (rule 2) (described above). For a person to be considered "Available to Work on a Particular Project", the person, the Bidding Firm and the Subcontractor Firm (if the person is employed by a Subcontractor Firm) must be free of conflicts of interest associated with the project. For purposes of the SOQ, we will use June 1, 2012 as a hypothetical date that work for the Energy Commission on the project application begins. A person is Available to Work on a Particular Project if:

- The person has not previously worked on the project application.
- The person has not received income from the developer of the project application within the twelve months prior to the start of work reviewing the application for the Energy Commission.
- The Bidding Firm has not worked on the project application and has not received income from the developer of the project within the twelve months prior to the start of work reviewing the application for the Energy Commission
- The Subcontractor Firm (if the person is employed by a Subcontractor Firm) has not worked on the project application and has not received income from the developer of the project within the twelve months prior to the start of work reviewing the application for the Energy Commission

Minimum requirements to Cover Topic or Subtopic (Technical Areas):

A Bidding Firm will meet the minimum requirements to cover a particular topic or sub-topic if all of the following conditions are met:

IV. Conflict of Interest, continued

1. Each Senior Technical Specialist listed for the topic or subtopic is Available to Work on at least five of the 24 projects included on the Power Plant Developers list below;
2. For the particular topic or sub-topic, the Bidding Firm identifies the minimum number (or more) of Senior Technical Specialists required for the topic or sub-topic. The minimum number of Senior Technical Specialists required for each topic and sub-topic is described on the *Team Member Topic and Sub-Topic Coverage Information Sheet* (see description below);
3. For the particular topic or sub-topic, except for the Glint and Glare sub-topic, which has a special requirement, the Bidding Firm as a whole has Senior Technical Specialists Available to Work on at least 18 out of the 24 projects included on the Power Plant Developers list. For the Glint and Glare sub-topic, the Bidding Firm as a whole has Senior Technical Specialists Available to Work on all eight of the solar thermal projects included on the Power Plant Developers list. For each topic or sub-topic, a Bidding Firm will be considered to cover a particular project listed on the Power Plant Developers list if the Bidding Firm identifies at least one of the topic or sub-topic Senior Technical Specialist that is Available to Work on the project. If more than one Senior Technical Specialists for a topic or sub-topic are Available to Work on a Particular Project, the Bidding Firm as a whole will only get credit once for being Available to Work on the Particular Project for the topic or sub-topic, i.e. no double counting will be allowed for purposes of meeting this requirement.

Potential Conflicts Spreadsheets

In this section of the SOQ, the Bidding Firm will complete three spreadsheets that will demonstrate the minimum requirements for covering a topic and sub-topic. The spreadsheets in attachments 9, 10, and 11 are collectively referred to as “Potential Conflicts Spreadsheets.” This will determine whether the Bidding Firm has met the minimum requirements to move on to the scoring phase. The spreadsheets will include information on team members Available to Work on a variety of topic and sub-topics (technical areas such as air quality or biology). These spreadsheets are available electronically on the Energy Commission website or by contacting the RFQ Contact Person. Please use the Power Plant Developers list in this section for your answers.

Instructions for completing the spreadsheets:

1. *Team Member Topic and Sub-Topic Coverage Information Spreadsheet (Attachment 9)*

- Complete only one spreadsheet for each SOQ (the Bidding Team as a whole is reflected on one sheet).
- Include the name of the Bidding Firm, which will be the prime contractor if awarded the contract.

IV. Conflict of Interest, continued

- Identify the names of all Senior Technical Specialists proposed to provide service for each Topic and Sub-Topic (this includes all employees of the Bidding Firm and employees of Subcontractor Firms).
- Each Senior Technical Specialist listed must be Available to Work on at least five of the 24 applications on the Power Plant Developers list
- The minimum number of required Senior Technical Specialists must be included (the minimum number for each Topic and Sub-topic is listed on this spreadsheet).
- For each topic and sub-topic, except for the Glint and Glare sub-topic, the team of Senior Technical Specialists taken together as a whole must be Available to Work on at least 18 of the 24 applications on the Power Plant Developers list. For the Glint and Glare sub-topic, the team of Senior Technical Specialists taken together as a whole must be Available to Work on the eight solar applications on the Power Plant Developers list. The team as a whole will be considered Available to Work on a particular topic or sub-topic on a particular project if at least one Senior Technical Specialist is identified and Available to Work on the topic or sub-topic on the project.

2. **Firm Information Sheet. (Attachment 10)**

This sheet is used to collect information on the *Bidding Firm and each Subcontractor Firm*:

- Complete one sheet for the Bidding Firm
- Complete one sheet for each Subcontractor Firm.
- Identify whether each firm is the Bidding Firm or a Subcontractor Firm.
- Obtain a signature from an authorized representative of the Bidding Firm and each Subcontractor Firm, and date the sheets.
- Use the Power Plant Developers list in this section as the basis for your answers
- Use June 1, 2012 as the date to measure income within the prior 12 months
- Complete information requested in the three categories:
 - List all current and anticipated applications that the Firm has ever worked on.
 - List all current and anticipated developers that have provided the Firm with income within the prior 12 months.
 - Indicate any existing agreements between the Firm and current or anticipated developers. For each agreement, list the purpose, the source of income (developer) and the agreement end date.
- NOTE: If you have listed agreements in category 3, for developers that are also listed on the Power Plant Developers List, you may still submit a SOQ. However, for purposes of meeting the Minimum Requirements described in this section, the Energy Commission will not count the Senior Technical Specialist as Available to Work on a Particular Project, for that particular developer's projects.

IV. Conflict of Interest, continued

3. **Team Member Availability Information Sheets. (Attachment 11)**

These sheets are used to collect information on the *Senior Technical Specialists (team members)* employed by the Bidding Firm and each Subcontractor Firm:

- Complete one sheet for the Bidding Firm.
- Complete one sheet for each Subcontractor Firm.
- You might have multiple pages for each Firm, if you propose more Senior Technical Specialists than can fit on one page.
- Obtain a signature from an authorized representative of the Bidding Firm and each Subcontractor Firm, and date the sheet.
- Add information on each Senior Technical Specialist (one person per row)
- Use the Power Plant Developers list in this section as the basis for your responses.
- Use June 1, 2012 as the date to measure income within the prior 12 months
- Complete information requested in the three columns:
 - Column 1: List all current and anticipated applications that the Senior Technical Specialist has ever worked on.
 - Column 2: List all current and anticipated developers that have provided the Senior Technical Specialist with income within the prior 12 months.
 - Column 3: Indicate any existing agreements between the Senior Technical Specialist and current or anticipated developers. For each agreement, list the purpose, the source of income (developer) and the agreement end date.

IV. Conflict of Interest, continued

Power Plant Developers (Current and Anticipated)

Current and Anticipated Developers	Number of Current and Anticipated Applications	Power Plant Application(s)
AES	3	AES Huntington Beach Repower AES Redondo Beach Repower AES Alamitos Repower
Argus Energy, LLC	1	Argus Repower (coal to NG)
BP & Rio Tinto	1	Clean Hydrogen Power Project (on hold)
BrightSource Energy, Inc.	2	Hidden Hills Solar Electric Generating System (solar) Rio Mesa Solar Thermal (solar)
CE Butte Energy, LLC	1	Black Rock Geothermal 5, 6
Competitive Power Ventures Inc.	1	CPV Vaca-Station
Edison Mission	1	Sun Valley Peaker
Iberdrola	1	Ogilby Solar Thermal (solar)
Mirant	1	Willow Pass
NRG	1	Carlsbad
Pio Pico Energy Center LLC	1	Pio Pico Energy Center
Quail Brush Genco, LLC.	1	Quail Brush Generating Project
Reliant	1	San Gabriel (suspended)
Solar Millennium	1	Solar Millennium Ridgecrest (suspended) (solar)
Solar Reserve	2	Ward Solar Thermal (solar) Imperial Solar Thermal (solar)
Stockton Energy Center, LLC	1	Stockton Energy Center
Terresol	1	Terresol Solar Tower (solar)
U.S. Army	1	Ft. Irwin Solar Thermal (solar)
Watson Cogeneration Company	1	Watson Cogeneration Steam and Electric Reliability Project
Xeres Ventures, LLC	1	Santa Clara SC-1 Data Center, Phase 2

24 Total
Applications

IV. Conflict of Interest, continued

Prime Contractor Responsibility and Form 700

The Prime Contractor selected for the agreement resulting from this RFQ will be responsible for making sure its employees and Subcontractor Firm employees that perform work, or may be called upon to perform work, avoid financial conflicts of interest. This includes having the Prime Contractor submit to the Energy Commission an annual economic interest statement (Form 700 from the Fair Political Practices Commission) from each of the Prime Contractor's employees or Subcontractor Firms' employees whom the Energy Commission's Chief Counsel's Office determines is required under the Political Reform Act to submit a Form 700, disclosing all financial interests under the disclosure categories applicable to the comparable staff of the Energy Commission's Siting, Transmission and Environmental Protection Division. The Energy Commission will hold the Prime Contractor responsible for enforcing these requirements.

Agreement Terms:

The agreement resulting from this RFQ will include the following terms on Conflict of Interest and Separation of Duties/Work Assignments. Note that Attachment 6 is the entire sample agreement, and includes this language in Exhibit E of Attachment 6.

CONFLICT OF INTEREST:

- A. Contractor agrees to continuously review new and upcoming projects in which members of the Contractor team may be involved for potential conflicts of interest. Contractor shall inform the Contract Manager as soon as a question arises about whether a potential conflict may exist. The Contract Manager and Commission's Chief Counsel's Office shall determine what constitutes a potential conflict of interest. The Energy Commission reserves the right to redirect work and funding on a project if the Commission's Chief Counsel's Office determines that there is a potential conflict of interest.
- B. The Contractor shall submit an economic interest statement (Fair Political Practices Commission's Form 700) from each employee or subcontractor whom the Energy Commission's Chief Counsel's Office, in consultation with the Contract Manager, determines is a consultant under the Political Reform Act and, thus, subject to the requirements and restrictions of the Act. Such determination will be based on the nature and duration of the work to be performed by the employee or subcontractor. The determination as to who is a consultant under the Political Reform Act shall be requested by the Contract Manager before work by the employee or subcontractor begins. Each employee and subcontractor determined to be a consultant under the Political Reform Act shall be subject to the same disclosure category or categories applicable to the Commission staff who perform the same nature and scope of work as the consultant.

IV. Conflict of Interest, continued

SEPARATION OF DUTIES & WORK ASSIGNMENTS:

A. Definition of Application

For the purposes of this paragraph, "application" means an application for certification for an energy facility, an application for a small power plant exemption, notice of intention, or an application for designation of a Transmission Corridor Zone.

B. Pending or Expected Applications at the Energy Commission

1. Contractor and Subcontractor Firms

a) New Agreements or Working Relationships

For the duration of this Contract, Contractor and all subcontractor firms/entities shall not enter into an agreement or working relationship with anyone, and shall not negotiate or make arrangements concerning employment with anyone, who has a pending application with the Energy Commission, is planning to file an application, or is otherwise working on an application that has been filed or is expected to be filed at the Energy Commission.

b) Pre-existing Agreements or Working Relationships

If such an agreement or working relationship began prior to and exists at the start of this Contract, the party that entered into the agreement shall complete the agreement as soon as possible and the party involved in the working relationship shall terminate that relationship.

2. Individuals Providing Service on this Contract

The requirements above that apply to Contractor and subcontractor firms, also apply to individuals who provide service on this Contract (including employees of both Contractor and subcontractors). Employees of Contractor and subcontractors shall not enter into new agreements or working relationships, and in the case of pre-existing agreements, shall terminate the agreement as soon as possible.

C. Previous Work on Applications & Source of Income

This paragraph is used to determine which projects the Energy Commission will assign to the Contractor. This paragraph ensures that the Contractor, subcontractors and individuals will not be allowed to review their own previous work. This paragraph also ensures that the Contractor, subcontractors and individuals will not be allowed to review the work of anyone who is a source of

IV. Conflict of Interest, continued

income or was a source of income within the 12 months prior to the start of review.

1. Contractor and Subcontractor Firms

a) No Review of Previous Work

During the term of this Contract, the Energy Commission will not request or allow the Contractor, or any subcontractor firm/entity to review an application involving a project on which the Contractor or subcontractor previously worked:

--If Contractor has previously worked on an application, the Energy Commission will not assign any team member (Contractor or subcontractor) to work on that application.

--If a subcontractor has previously worked on an application, the Energy Commission will not assign any employee of that subcontractor to work on that application.

b) Current or Prior (12 Months) Source of Income

During the term of this Contract, the Energy Commission will not request or allow the Contractor, or any subcontractor firm/entity to review an application from a developer for whom the Contractor or subcontractor currently works or has worked within the twelve months prior to the start of reviewing the application for the Energy Commission:

--If Contractor has received income from a developer within the twelve months prior to the start of reviewing an application for the Energy Commission, the Energy Commission will not assign any team member (Contractor or subcontractor) to work on any application from that developer.

--If a subcontractor has received income from a developer within the twelve months prior to the start of reviewing an application for the Energy Commission, the Energy Commission will not assign any employee of that subcontractor to work on any application from that developer.

2. Individuals Providing Service on this Contract

The requirements above that apply to Contractor and subcontractor firms, also apply to individuals who provide service on this Contract (including employees of both Contractor and subcontractors). If an employee of Contractor or a subcontractor has done previous work on an application or has a source of income from a developer within twelve months prior to the start of reviewing the application for the Energy Commission, the Energy Commission will not assign work to the employee.

IV. Conflict of Interest, continued

D. Enforcement

Contractor shall make its employees aware of these provisions and shall enforce them. Contractor shall ensure that these provisions are included in all subcontracts, and shall enforce them.

E. Notification of Potential Problems

Contractor shall immediately inform Commission Contract Manager of any potential problems in compliance with these provisions.

VI. RFQ Administrative Requirements

ABOUT THIS SECTION

This section provides Bidding Firms with information about how to prepare a Statement of Qualifications (SOQ) in response to this RFQ. The format is prescribed to assist the Bidding Firm in meeting State requirements and to enable the Energy Commission to evaluate each SOQ uniformly and fairly. Bidding Firms must follow all SOQ format instructions, answer all questions, and supply all requested data.

PRICING/RATES INFORMATION

Do not submit any price quotes or bids in your SOQ since this will be negotiated with the top rated Bidding Firm.

REQUIRED FORMAT

All SOQs submitted under this RFQ must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred and tabs are encouraged. Binders are discouraged.

NUMBER OF COPIES

Bidding Firms must submit the original and **5 copies** of the SOQ.

Bidding Firms must also submit electronic files of all volumes on **CD-ROM or USB memory stick** along with the paper submittal. Only one CD-ROM or USB memory stick is needed. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats. **Electronic files submitted via e-mail will not be accepted.**

PACKAGING AND LABELING

The original and copies of the SOQ must be labeled "Request for Qualifications, 700-11-701," and include the title of SOQ.

V. SOQ Format and Required Documents, continued

Include the following label information and deliver your SOQ, in a sealed package:

Person's Name, Phone

#

Bidding Firm's Name

Street Address

City, State, Zip Code

FAX #

RFQ 700-11-701

Contracts Office, MS-18

California Energy Commission

1516 Ninth Street, 1st Floor

Sacramento, California 95814

PREFERRED METHOD FOR DELIVERY

A Bidding Firm may deliver a SOQ by:

U.S. Mail,
in person, or
messenger service.

Please reference Key Activities and Dates for the time and date when the SOQ is due. Any SOQ received after the specified date and time are considered late and will not be accepted. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

Administrative Response

1. Cover Letter
2. Table of Contents
3. Required Documents and Statements
 - Contractor Status Form
 - Darfur Contracting Act Form
 - Completed Disabled Veteran Business Enterprise Forms
 - Signed Contractor Certification Clauses

Technical Response

1. Approach to Tasks in Scope of Work
2. Responsiveness to Workload and Deadlines
3. Qualifications
4. Relationship Among Bidding Firm and Team Members
5. Analytical Tools
6. Cost Minimization
7. Potential Conflicts Spreadsheets

V. SOQ Format and Required Documents, continued

8. Customer References
9. Examples of Prior Work
10. Expertise Required

ADMINISTRATIVE RESPONSE FORMAT

1. Cover Letter

The Bidding Firm shall submit a cover letter on company letterhead that includes a reference to the RFQ title and number, a statement that the Bidding Firm is willing to enter into a contract with the state, and signed by a person having the authority to commit the Bidding Firm to a contract.

2. Table of Contents

The SOQ must include a Table of Contents organized in the order cited previously and with corresponding page numbers.

3. Required Documents and Statements

The Bidding Firm must complete and include the following forms with their SOQ:

1. Contractor Status Form; Attachment 1
2. Darfur Contracting Act Form; Attachment 2
3. Disabled Veteran Business Enterprise (DVBE) forms (Bidding Firms who qualify as government entities are exempt from this requirement); Attachments 3.1- 3.4
4. Contractor Certification Clauses; Attachment 4

TECHNICAL RESPONSE FORMAT

1. Approach to Tasks in Scope of Work

Describe the Bidding Firm's approach to providing services listed in the Scope of Work, highlighting outstanding features, qualifications and experience, including project management.

2. Responsiveness to Workload and Deadlines

Describe the Bidding Firm's approach to handle the majority of the workload on an energy facility siting case with one (1) month's notice; to provide individual experts within two (2) business days' notice; to provide an initial response to inquiries from Energy Commission staff within four (4) hours; to satisfy and meet all product deadlines; and to satisfy and meet all event deadlines on a day or hour needed.

V. SOQ Format and Required Documents, continued

3. Qualifications

Team Members

- Provide a short description of each firm and their key members on the team, highlighting any specialized facility permitting expertise of the firm or their team members that is applicable to the tasks outlined in the Scope of Work. Document the qualifications of each team member as they apply to the expertise required listed at the end of this section and performing the tasks described in the Scope of Work.
- Provide a current resume for all team members listed and identify the percentage of time each team member will be available throughout the Agreement.
- Describe the functions to be performed by each staff member of the contract team.
- Describe job classification, relevant experience, education, academic degrees and professional licenses of each team member.
- Describe professional awards of team members.
- Describe the nature and quality of each team member's recently completed work, such as environmental analysis and impact resolution, engineering and design, project and construction management and siting trends, and how this expertise will be used.
- Describe each team member's experience in developing, reviewing and analysis of Environmental Impact Reports and Environmental Impact Statements under CEQA and NEPA.
- Describe each team member's experience on permitting of, or preparing development plans for, industrial projects (not necessarily energy projects) and linear facilities, such as pipelines or transmission lines under CEQA and NEPA.
- Describe each team member's knowledge of various federal, state, regional, and local governmental organizations and their processes and requirements involved in the planning for, or permitting of, industrial projects and linear facilities under CEQA and NEPA.
- Describe each team member's experience evaluating the potential impacts of generation and transmission, or of individual proposed projects and proposing appropriate strategies or mitigation measures to avoid or reduce significant impacts under CEQA and NEPA.
- Describe each team member's experience evaluating the compliance of projects with all conditions of approval. Describe each team member's experience presenting findings at public forums.

Bidding Firm

- Describe the organizational structure of the Bidding Firm and participating firms (subcontractors), including an organizational chart of the entire contract team.
- Identify a primary contact person. This person should attend the discussion session.

V. SOQ Format and Required Documents, continued

- Describe the Bidding Firm's approach to contract management and administration. Identify the Contract Management team members.
- Describe the qualifications of the Bidding Firm, and the approach, to effectively provide direction, motivation and vision to the team; to provide quality assurance for each team member's performance; and to minimize turnover and provide a stable professional team, including the ability to quickly add and train new team members as needed.
- Describe the effectiveness of Bidding Firm's Strategies to work effectively with staff and Contract Manager.

4. Relationship Among Bidding Firm and Team Members

Describe the relationship between the Bidding Firm and other firms on the team, if applicable. Indicate any history of a working relationship between the team members, both within and between participating firms, noting any significant success stories.

5. Analytical Tools

- Describe any technical capabilities that would facilitate communicating with the Energy Commission (note that the Contractor must provide its own computers and software and these costs are not reimbursable under the Agreement).
- Describe what type of computers and/or analytical tools will be used to accomplish the tasks listed in the Scope of Work.
- List the name and edition of all software to be used in accomplishing the tasks listed in the Scope of Work.

6. Cost Minimization

Without revealing hourly rates or cost, describe the efforts that the Bidding Firm will take to minimize costs to the Energy Commission in the successful performance of this Agreement. Describe where Bidding Firm's office(s) are located and proposed methods of minimizing costs to the State. Describe where subcontractors are located and proposed methods of minimizing costs to the State. Also address the following:

In-State Travel Costs

What policy will the Bidding Firm adopt as related to team member time charges when the team member is traveling and/or not working actively on the Agreement?

What will the Bidding Firm do to reduce the cost of the daily per diem rate for team members who are required to be in the Sacramento area for longer than one week? What will the Bidding Firm do to reduce the fully loaded hourly rate for team members who are assigned to work at the Energy Commission's offices for longer than one week? Depending on assignment, a Contractor may be required to remain in the Sacramento area for an extended time.

V. SOQ Format and Required Documents, continued

Out of State Travel Costs

It is the Energy Commission's intent to reimburse contractors for airfare within California. If the Contractor and/or team members are located out of state, will the Bidding Firm establish an office in California and/or initiate all travel and related time charges from this California office, and not the out of state office? The Energy Commission is interested in reimbursing the Contractor for active time spent working on this contract.

Agreement Training

Will the Bidding Firm significantly reduce the rate charged to the Energy Commission when the team is being trained by the Energy Commission staff on the energy facility siting process and review procedures?

7. Potential Conflicts Spreadsheets

Each Bidding Firm must include Potential Conflicts Spreadsheets in their SOQ package. See Conflicts of Interest section for detail on the Potential Conflicts Spreadsheets (Attachments 9, 10, and 11).

8. Customer References

The Bidding Firm and each participating firm (subcontractor) shall complete a Customer Reference Form. Three customer references are required for the Bidding Firm and three customer references are required for each subcontractor firm.

9. Examples of Prior Work

The Bidding Firm and each subcontractor shall provide a minimum of one example of a work product that is representative of the services it will provide under the Agreement (it is not necessary to provide more than one copy of each work product example).

If more than one firm will be providing technical support in a technical expertise area, each firm shall submit one example product that demonstrates experience in potential work assignments described in this RFQ for the technical expertise area.

10. Expertise Required

Qualifications Necessary to Respond to This RFQ

The Energy Commission is seeking one team of technical specialists led by a Prime Contractor (Contractor). The Contractor and the team can be from the same pre-existing organization, such as a full service consultant Bidding Firm, or they can be from

V. SOQ Format and Required Documents, continued

separate organizations (or self-employed) and form a partnership that can successfully work together for the purposes of this RFQ. The Contractor and its team must demonstrate that they can:

1. Manage the work of all team members effectively during the Agreement term.
2. Interact with the Energy Commission's Contract Manager and technical staff professionally and efficiently.
3. Respond to the identified workload in a timely manner.
4. Consistently meet all product and event deadlines.
5. Provide competent and qualified experts in all technical and administrative areas identified in this RFQ.
6. Meet the terms of the Agreement in a cost-competitive manner.
7. Meet the minimum conflict of interest requirements.

The Contractor shall support the Energy Commission's Siting, Transmission and Environmental Protection Division analyses in the environmental and engineering subject areas listed below. The Contractor team shall have the demonstrated qualifications and ability to apply these areas of expertise to assess AFCs, SPPEs, TCDs, and Compliance Amendments and monitor the construction, operation and closure of power plant projects to ensure they comply with the conditions of certification.

Environmental Expertise Required

- Air Quality
 - Plume modeling and analysis
 - Nitrogen Deposition
 - Windshed modeling and analysis
 - Greenhouse gas and climate change analysis
- Biological Resources
 - Wildlife Biology
 - Botany
 - Avian biology
 - Fisheries biology
 - Marine Biology
 - Wildlife corridors and migration
- Alternatives Assessment (site location, technology, design etc.)
- Cultural Resources
 - Geoarchaeologist
 - Ethnographer
 - Historical Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards
 - Architectural Historian who meets the Secretary of the Interior's Professional Qualifications Standards
 - Historic Landscape Architect
 - Archaeological GIS specialist

V. SOQ Format and Required Documents, continued

- Hazardous Materials Management
- Noise and Vibration
- Socioeconomic Resources
- Land Use
- Public Health
- Soils and Water Resources
 - Storm water management
 - Surface and groundwater supply modeling
 - Wastewater modeling
 - Groundwater modeling
- Traffic and Transportation
 - Ground vehicle safety
 - Aviation safety
 - Thermal and ground hugging plume modeling and analysis
- Transmission Safety and Nuisance
- Visual Resources
 - Visible plume analysis
 - Glint and glare analysis
- Waste Management

Engineering Expertise Required

- Facility Design
 - Civil and Structural engineering
 - Electrical engineering
 - Mechanical engineering
 - Gas transmission pipeline safety (related to general engineering issues associated with facility design)
- Geology
 - Sand dune morphology
 - Enhanced Oil Recovery/Carbon Sequestration
- Paleontology
- Power Plant Efficiency
- Power Plant Reliability
- Transmission System Engineering and Evaluation
- Worker Safety and Fire Protection

V. SOQ Format and Required Documents, continued

Environmental and Engineering Expertise Descriptions

A detailed description of each environmental and engineering technical area is provided in **Attachment 7**.

Historical Information About Technical Expertise Required

The following table shows historical information about the relative budgets and the number of work authorizations issued for licensing and compliance activities for each technical subject area under the current peak workload contract (Contract #700-08-001) from November 2009 through June 2011. This historical information provides an indication of the support needed for power plant licensing and compliance activities for each area. However, future needs are new activities for the Energy Commission and are not reflected on this table; the future activities may be different. The transmission corridor designations are more focused than the licensing and compliance activities on Biological Resources, Cultural Resources, Land Use, Soil and Water Resources, and Visual Resources.

V. SOQ Format and Required Documents, continued

Technical Expertise Area	Percent of Siting WA Budgets	Number of WA Assigned
Biological Resources	19%	19
Cultural Resources	19%	20
Soil and Water Resources	11%	17
Air Quality	7.6%	24
Alternatives	5.9%	14
Geology and Paleontology	5.2%	26
Delegate Chief Building Official Auditing (Facility Design)	3.8%	1
Technical Writing	3.8%	8
Siting Oversight (audits/lessons learned)	3.1%	13
Land Use	3.0%	16
Glint and Glare	3.0%	1
Visual Resources	2.4%	2
Multi-expertise work authorizations	2.2%	7
Traffic and Transportation	2.1%	8
Downstream Transmission System Environmental Impacts	1.4%	5
Aviation Safety	1.2%	12
Enhanced Oil Recovery	1.1%	1
Worker Safety and Fire Protection	1.1%	12
Waste Management	1.1%	12
Socioeconomics	0.9%	1
Hazardous Materials Management	0.9%	7
Document Preparation	0.6%	1
Public Health	0.6%	1
Site Security	0.5%	1
Plume Analysis and Modeling	0.5%	6
Noise and Vibration	0.1%	1
Interpreting and Translation Services	0.1%	1

Project Management: Project managers for power plant siting and compliance projects and renewable energy development support activities provide leadership and direction to the project team, represent the Energy Commission before the public, review staff products for consistency, develop case strategy, organize project records and make oral and written presentations on a project to the Energy Commission and public. Project managers shall have demonstrated knowledge of CEQA and experience reviewing major development projects.

Senior Technical Specialist: A Senior Technical Specialist for a topic or sub-topic is defined in this RFQ to be a Team Member that the Bidding Firm identifies as qualified to prepare and submit analysis on the topic or sub-topic directly to Energy Commission staff without requiring further review by other Team Members. Team Member Qualifications scoring will be based primarily on the qualifications of the Senior Technical Specialists proposed by the Bidding Firm.

V. SOQ Format and Required Documents, continued

Administrative Support: Bidding Firms must have at least one person qualified for each of the following administrative support functions:

- Technical Editing
- Graphic Support (including GIS maps and photographic and artistic renderings)
- Report Preparation and Production
- Translation and Interpreting Services(See Scope of Work, Section III for specific language)

VI. RFQ Administrative Requirements

About This Section

This section provides details in submitting a successful SOQ, including definitions of important terms, sources of information, submitting the SOQ, confidential information, grounds for rejecting a SOQ, and other administrative details.

RFQ Defined

The competitive method used for this procurement of services is a RFQ. A SOQ submitted in response will be scored and ranked based on the criteria in this RFQ. Every SOQ must establish in writing the Bidding Firm's ability to perform the RFQ's tasks. The Energy Commission will conduct discussions and select the most qualified Bidding Firm. The Energy Commission will negotiate an Agreement with the selected Bidding Firm for compensation which the Energy Commission determines to be fair and reasonable.

Where and How to Deliver the SOQ

A Bidding Firm may deliver a SOQ by:

- U.S. Mail,
- in person, or
- messenger service.

All SOQs must be **delivered** to the Energy Commission's Contracts Office at 1516 Ninth Street, M-S 18, Sacramento, CA 95814, by 3:00 P.M. on the deadline to submit SOQ date. Any SOQ received after 3:00 P.M. will not be accepted. E-mail and facsimile (FAX) transmissions **WILL NOT** be accepted in whole or in part under any circumstances.

Bidding Firm's Cost

The Bidding Firm is responsible for the cost of developing a SOQ and this cost cannot be charged to the State.

PRINTING SERVICES

Per Management Memo 07-06, State Agencies must procure printing services through the Office of State Publishing (OSP). This Agreement will not include printing services unless approved by OSP.

VI. RFQ Administrative Requirements

Confidential Information

No confidential information is allowed to be submitted in your SOQ. Any SOQ that contains confidential information shall be rejected.

Darfur Contracting Act

Effective January 1, 2009, all contracts for goods or services must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with “scrutinized” companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a “scrutinized” company when it submits a bid or proposal to a State agency. (See # 1 on Attachment 2).

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 2).

Disabled Veteran Business Enterprises (DVBE) Compliance Requirements

The DVBE Program has two inter-related aspects:

Participation Goals: A minimum of 3% DVBE Participation is mandatory for all submitted SOQ.

And,

Incentive: The DVBE Incentive Program gives a contractor an opportunity to improve their bid status based on the efforts attained from the DVBE Participation Program.

See Attachment 3.1 for complete information on the DVBE participation goals and incentive.

VI. RFQ Administrative Requirements

Notice of Selection

Subsequent to the SOQ evaluations and discussion interviews (see Qualifications and Evaluation section for details), the Energy Commission will post a “Notice of Selection” at the Energy Commission’s headquarters in Sacramento, and on the Commission’s Web Site:

Negotiations

Pursuant to Title 20, California Code of Regulations (CCR), section 2565 and Public Contract Code (PCC) 6106, within 14 days after posting the Notice of Selection, the Energy Commission will begin negotiations with the top ranked Bidding Firm for an acceptable fee (hourly rates). The top ranked Bidding Firm will be required to submit a list of rates after written notification of selection. If negotiations with the top ranked Bidding Firm fails, the Energy Commission will enter into negotiations with the next highest Bidding Firm, and so on.

Notice of Proposed Award

Subsequent to the negotiations, the Energy Commission will post a “Notice of Proposed Award” at the Energy Commission’s headquarters in Sacramento, and on the Commission’s Web Site.

RFQ Cancellation

If it is in the State’s best interests, the Energy Commission reserves the right to do any of the following:

- Cancel this RFQ,
- Amend this RFQ, or
- Reject any or all SOQs received in response to this RFQ

RFQ Amendments

If the RFQ is amended, the Energy Commission will send an addendum to all parties who requested the RFQ and will also post it on the Energy Commission’s Web Site: www.energy.ca.gov/contracts and Department of General Services’ Web Site: www.cscr.dgs.ca.gov/cscr.

Errors

If a Bidding Firm discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFQ, the Bidding Firm shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications resulting from this notice will be posted on the Energy Commission’s

VI. RFQ Administrative Requirements

Web Site without divulging the source of the request for clarification. The Energy Commission shall not be responsible for failure to correct errors.

Modifying or Withdrawing a SOQ

Withdrawal/Modification

A Bidding Firm may, by letter to the Contact Person, withdraw or modify a submitted SOQ before the deadline to submit an SOQ. A SOQ cannot be changed after that date and time.

Immaterial Defect

The Energy Commission may waive any immaterial defect or deviation contained in a Bidding Firm's SOQ. The Energy Commission's waiver shall in no way modify the SOQ or excuse the successful Bidding Firm from full compliance.

Disposition of SOQ Documents

On the submission date, all SOQs and related material submitted in response to this RFQ become the property of the State. After the Notice of Proposed Award is posted, all SOQs and related materials become public records. In addition, all evaluation and scoring sheets become public records after the Notice of Proposed Award is posted. The original SOQ may be returned to a Bidding Firm upon written request.

Contract Requirements

See the Standard Agreement sample included in this RFQ, as Attachment 6.

No Agreement Until Signed & Approved

No Agreement between the Energy Commission and the successful Bidding Firm is in effect until the contract is signed by the Contractor, approved at an Energy Commission Business Meeting and signed by the Energy Commission.

Bidding Firms' Admonishment

This RFQ contains the instructions governing the requirements for a SOQ to be submitted by interested Bidding Firms, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and a Bidding Firm's responsibilities. Bidding Firms must take the responsibility to carefully read the entire RFQ, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFQ are followed and appropriately addressed, and carefully reread the entire RFQ before submitting a SOQ.

VI. RFQ Administrative Requirements

Grounds to Reject a SOQ

An SOQ shall be rejected if:

- It is received after the exact time and date set for receipt of SOQs.
- It is considered nonresponsive to the California DVBE participation requirements.
- It is lacking a properly executed Contractor Certification Clause(s).
- It is lacking properly executed Darfur Contracting Act.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Firm.
- If the SOQ is intended to erroneously and fallaciously mislead the State in its evaluation of the SOQ and the attribute, condition, or capability is a requirement of this RFQ.
- It contains confidential information.
- The Bidding Firm will perform all or part of the work in California and is a corporation but not found on the Secretary of State website to be currently qualified to do business in California in accordance with the Contractor Certification Clauses.
- The Bidding Firm does not agree to the terms and conditions as attached to the solicitation either by not signing the Contractor Status Form or by stating anywhere in the bid that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

An SOQ may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- It does not literally comply or contains caveats that conflict with the RFQ and the variation or deviation is not material, or it is otherwise nonresponsive.
- The Firm has previously completed a PIER agreement, received the PIER Royalty Review letter, which the Commission annually sends out to remind past recipients of their obligations to pay royalties, and has not responded to the letter or is otherwise not in compliance with repaying royalties.

VII. Qualifications Evaluation

Selection Process Steps

The Energy Commission will organize an Evaluation Committee whose members have expertise in evaluation of environmental and engineering services. The SOQs will be evaluated as follows:

Fulfillment of RFQ Mandatory Format

The Contracts Office will first identify those Bidding Firms whose SOQs adhere to the mandatory format outlined in this RFQ. Bidding Firms who do not follow the mandatory format may be eliminated from the evaluation process.

Minimum Requirements

Next, the Evaluation Committee will determine if the Bidding Firm has met the minimum requirements on the Potential Conflicts Spreadsheets. Please see the Conflict Of Interest Section IV for details on how a Bidding Firm will meet the minimum requirements for conflict of interest. If the Bidding Firm meets the minimum requirements, the SOQ will be accepted and move on to the scoring step in the process (see immediately below). If the Bidding Firm does not meet the minimum requirements, the SOQ will not be scored and will not be eligible for the remaining steps in the RFQ process.

Evaluation of Qualifications

The Evaluation Committee will review and score all remaining SOQs based on the Evaluation Criteria in Section VII of this RFQ. The preliminary technical score for each SOQ will be the average of the combined scores of all Evaluation Committee members.

Discussions

The Evaluation Committee shall conduct discussions during the Evaluation Process with no less than three Bidding Firms regarding qualifications and methods for furnishing the required services. Bidding Firms invited to participate in the Discussion will be scored by the Evaluation Committee on their response. The Evaluation Committee may use patterned questions and/or questions specific to a SOQ to conduct these discussions. The Evaluation Committee may provide the Bidding Firms with a copy of the questions and/or issues to be addressed and a format for structured discussions. Bidding Firms should anticipate travel to the Energy Commission Headquarters for the discussions. At the discretion of the Contract Manager, discussions may be held via conference call or web-ex. The project lead and at least one person from each technical area should participate in the discussion.

VII. Qualifications Evaluation

Upon completion of the discussions the Evaluation Committee may make adjustments to the preliminary scores and re-rank the Bidding Firms. From the Bidding Firms with which discussions are held, the Evaluation Committee shall select no less than three, in order of preference, based upon the established criteria, who are deemed to be the most highly qualified to provide the required services.

VII. Qualifications Evaluation

How the SOQ Will be Scored

The Evaluation Committee will award points for the technical criteria based on the following considerations.

SCORING SCALE

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria Worksheet.

% of Possible Points	Interpretation	Explanation for Percentage Points
0%	Not Responsive	Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
25%	Minimally Responsive	Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
50%	Inadequate	Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.
70%	Adequate	Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.
80%	Good	Response fully addresses the requirements being scored with a good degree of confidence in the Bidding Firm's response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.
90%	Excellent	Response fully addresses the requirements being scored with a high degree of confidence in the Bidding Firm's response or proposed solution. Bidding Firm offers one or more enhancing features, methods or approaches exceeding basic expectations.
100%	Exceptional	All requirements are addressed with the highest degree of confidence in the Bidding Firms response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

Ranking a SOQ

After each SOQ is scored, it will be placed on a list, in rank order, with the highest scoring SOQ placed first and the remainder in descending order based on score.

VII. Qualifications Evaluation

Preference Points

A Bidding Firm may qualify for non-technical preference points: Disabled Veteran Business Enterprises (DVBE) Incentive points. Each qualifying Bidding Firm passing the minimum technical evaluation will receive the applicable preference points.

Disabled Veteran Business Enterprise Incentive

The DVBE Incentive program was established pursuant to Military & Veterans Code Section 999.5(2) and Department of General Services' Regulations 2 CCR 1896.98 et seq. The information in **Attachment 3.1** explains how the incentive is applied and how much of an incentive will be given.

Target Area Contract Preference Act/ Enterprise Zone Act/ Local Agency Military Base Recovery Act

The following preferences will be granted for this solicitation. Bidders wishing to take advantage of these preferences will need to review the websites stated below and submit the appropriate response with their Bid.

Target Area Contract Preference Act (TACPA)

The Target Area Contract Preference Act (Government Code Section 4530 et seq.) provides five percent (5%) preference points to California-based companies that perform state contract work in a distressed area. Bidders should review the information located at <http://www.documents.dgs.ca.gov/pd/poliproc/tacpapage.pdf> to determine if they qualify for this preference.

Enterprise Zone Act (EZA)

The Enterprise Zone Act (Government Code Section 7070, et seq.) provides preference points as an incentive for business and job development in distressed and declining areas of the State. Bidders should review the information located at <http://www.documents.dgs.ca.gov/pd/poliproc/ezapage.pdf> to determine if they qualify for this incentive.

Local Agency Military Base Recovery Act (LAMBRA)

The Local Agency Military Base Recovery Act (Government Code Section 7118, et seq.) provides five percent (5%) preference points to California-based companies that perform State contract work in the LAMBRA. Bidders should review the information located at <http://www.documents.dgs.ca.gov/pd/poliproc/lambrapage.pdf> to determine if they qualify for this preference.

The TACPA, EZA, and LAMBRA preferences only apply to California based firms that demonstrate and certify under penalty of perjury that at least 50% of the total labor hours for manufactured goods or 90% of the total labor hours for services will be performed in distressed areas. The maximum preference that can be given for any bid may not exceed 9% up to \$50,000.00.

VII. Qualifications Evaluation

Bidders wishing to take advantage of these preferences are required to submit the following applications/forms available on the above websites with their Bid:

- TACPA (Std. 830) and/or EZA (Std. 831) and or LAMBRA (Std. 832)
- Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 526)

If you have further questions or need additional information on this matter, please contact TACPA/EZA/LAMBRA Preference Program Group at (916) 375-4609.

VII. Qualifications Evaluation

Technical Evaluation Criteria

REFERENCES WILL BE CONSIDERED THROUGHOUT THE SCORING CRITERIA

Criterion	Possible Points
1. Approach to Tasks in Scope of Work	
a. Responsive to Scope of Work requirements.	50
2. Responsiveness to Workload and Deadlines	
a. Ability of Bidding Firm to handle the majority of the workload on an energy facility siting case with one (1) month's notice.	10
b. Ability of Bidding Firm to provide individual experts within two (2) business days' notice.	10
c. Ability of Bidding Firm to provide an initial response to Energy Commission staff inquiries within four (4) hours.	10
d. Ability of Bidding Firm and team to satisfy and meet all product deadlines.	10
e. Ability of Bidding Firm and team to satisfy and meet all event deadlines on a day or hour needed.	10
3. Scope of Experience	
a. Depth and quality of work examples.	100
b. Depth of coverage for all technical areas and functions identified.	100
c. Demonstrated experience presenting findings at public forums.	30
d. Depth of team members' experience on permitting of, or preparing development plans for industrial projects (not necessarily energy projects) and linear facilities (such as pipelines or transmission lines) under CEQA.	40
e. Depth of team members' experience on permitting of, or preparing development plans for industrial projects (not necessarily energy projects) and linear facilities (such as pipelines or transmission lines) under NEPA.	40
f. Knowledge of various state and regional, and local governmental organizations and their processes/requirements involved in the planning for, or permitting of, industrial projects and linear facilities under CEQA.	40
g. Knowledge of various federal and regional, and local governmental organizations and their processes/requirements involved in the planning for, or permitting of, industrial projects and linear facilities under NEPA.	40
h. Depth of team members' experience evaluating the potential impacts of generation and transmission, or of individual proposed projects; and proposing appropriate strategies or mitigation measures to avoid or reduce significant impacts under CEQA.	40
i. Depth of team members' experience evaluating the potential impacts of generation and transmission, or of individual proposed projects; and proposing appropriate strategies or mitigation measures to avoid or reduce significant impacts under NEPA.	40
j. Depth of team members' experience evaluating the compliance of projects with all conditions of approval.	60
4. Analytical Tools	
a. Capability to use computers or other analytical tools to accomplish the Tasks in the Scope of Work.	30
5. Effective Team Management and Administration	
a. Ability of Bidding Firm to perform its prime contract management and administration duties, including the effectiveness of its strategies to work	40

VII. Qualifications Evaluation

Criterion	Possible Points
effectively with the Energy Commission technical staff and contract manager.	
b. Ability of Bidding Firm to provide quality assurance for each team member's performance, and to identify and resolve performance problems effectively.	40
6. Team composition Flexibility	
a. Ability of Bidding Firm to quickly add and train new team members as needed.	30
7. Cost Minimization	
a. Effectiveness of Bidding Firm's strategies to minimize travel and per diem and related time charges.	40
b. Effectiveness of Bidding Firm's strategies to minimize charges while being trained by the Energy Commission.	20
c. Other strategies to minimize costs to the State.	20
8. Discussion	
a. Quality of presentation	50
b. Response to questions	50
c. Approach to tasks in Scope of Work.	50
Total Points Possible	1000
Minimum Passing Score (75%)	750

Non-Technical Incentive and Preference Points

DVBE Incentive	
FINAL ADJUSTED SCORE	